UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/25070/Add.13
13 April 1993

ORIGINAL: ENGLISH

SUMMARY STATEMENT BY THE SECRETARY-GENERAL ON MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED AND ON THE STAGE REACHED IN THEIR CONSIDERATION

Addendum

Pursuant to rule 11 of the provisional rules of procedure of the Security Council, the Secretary-General is submitting the following summary statement.

The list of items of which the Security Council is seized is contained in documents S/25070 of 9 January 1993, S/25070/Add.4 of 4 February 1993, S/25070/Add.7 of 26 February 1993, S/25070/Add.8 of 8 March 1993 and S/25070/Add.10 of 22 March 1993.

During the week ending 3 April 1993 the Security Council took action on the following items:

Report of the Secretary-General pursuant to Security Council resolution 807 (1993) (see S/23370/Add.14, S/23370/Add.40 and S/25070/Add.7; see also S/22110/Add.38, S/22110/Add.47, S/22110/Add.50, S/23370/Add.1, S/23370/Add.5, S/23370/Add.7, S/23370/Add.16, S/23370/Add.19, S/23370/Add.21, S/23370/Add.23, S/23370/Add.24, S/23370/Add.26, S/23370/Add.28, S/23370/Add.29, S/23370/Add.31, S/23370/Add.32, S/23370/Add.35, S/23370/Add.36, S/23370/Add.37, S/23370/Add.40, S/23370/Add.43, S/23370/Add.45, S/23370/Add.46, S/23370/Add.49, S/23370/Add.50, S/25070/Add.1, S/25070/Add.4, S/25070/Add.7, S/25070/Add.8, S/25070/Add.9, S/25070/Add.11 and S/25070/Add.12)

The Security Council met to consider the item at its 3189th meeting, held on 30 March 1993, in accordance with the understanding reached in its prior consultations, having before it the report of the Secretary-General pursuant to Security Council resolution 807 (1993) (S/25470 and Add.1).

The President, with the consent of the Council, invited the representative of Croatia, at his request, to participate in the discussion without the right to vote.

The President drew attention to the text of a draft resolution (S/25481), which had been prepared in the course of the Council's consultations.

The Security Council then proceeded to vote on draft resolution S/25481 and adopted it unanimously as resolution 815 (1993).

Resolution 815 (1993) reads as follows:

The Security Council,

Reaffirming its resolution 743 (1992) and all subsequent resolutions relating to the United Nations Protection Force (UNPROFOR),

Reaffirming in particular its commitment to ensure respect for the sovereignty and territorial integrity of Croatia and of the other Republics where UNPROFOR is deployed,

Having considered the report of the Secretary-General dated 25 March 1993 (S/25470 and Add.1),

Deeply concerned by the continuing violations by the parties and others concerned of their cease-fire obligations,

Determining that the situation thus created continues to constitute a threat to peace and security in the region,

Determined to ensure the security of UNPROFOR and its freedom of movement for all its missions, and to these ends acting under Chapter VII of the Charter of the United Nations,

1. Approves the report of the Secretary-General, in particular its paragraph 5;

2. Reaffirms all the provisions of its resolutions 802 (1993) and 807 (1993);

3. Decides to reconsider one month after the date of this resolution, or at any time at the request of the Secretary-General, UNPROFOR's mandate in light of developments of the International Conference on the Former Yugoslavia and the situation on the ground;

4. Decides, in this context, further to extend UNPROFOR's mandate for an additional interim period terminating on 30 June 1993;

5. Supports the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in their efforts to help to define the future status of those territories comprising the United Nations Protected Areas (UNPAs), which are integral parts of the territory of the Republic of Croatia, and demands full respect for international humanitarian law, and in particular the Geneva Conventions, in these Areas;

6. Requests the Secretary-General to report urgently to the Council on how the United Nations Peace Plan for Croatia can be effectively implemented;

7. Decides to remain actively seized of the matter.

An agenda for peace: preventive diplomacy, peacemaking and peace-keeping (see S/23370/Add.26, S/23370/Add.43, S/25070, S/25070/Add.4 and S/25070/Add.8; see also S/23370/Add.4)

The Security Council resumed its consideration of the item at its 3190th meeting, held on 31 March 1993, in accordance with the understanding reached in its prior consultations.

The President stated that, following consultations among members of the Security Council, he had been authorized to make the following statement on behalf of the Council (S/25493):

"The Security Council has continued its examination of the Secretary-General's report entitled 'An Agenda for Peace' (S/24111), including the problem identified in paragraphs 66-68 - the safety of United Nations forces and personnel deployed in conditions of strife. The Council has considered this question with regard to persons deployed in connection with a Security Council mandate.

"The Security Council commends the Secretary-General for drawing attention to this problem, including the unconscionable increase in the number of fatalities and incidents of violence involving United Nations forces and personnel. The Council shares fully the Secretary-General's concerns.

"The Security Council recognizes that increasingly it has found it necessary, in discharging its responsibility for the maintenance of international peace and security, to deploy United Nations forces and personnel in situations of real danger. The Council greatly appreciates the courage and commitment of these dedicated people who accept considerable personal risk in order to implement the mandates of this Organization.

"The Security Council recalls that it has been necessary on a number of occasions to condemn incidents directed against United Nations forces and personnel. It deplores the fact that, despite its repeated calls, incidents of violence continue.

"The Council considers that attacks and other acts of violence, whether actual or threatened, including obstruction or detention of persons, against United Nations forces and personnel are wholly unacceptable and may require the Council to take further measures to ensure the safety and security of such forces and personnel.

"The Security Council reiterates its demand that States and other parties to various conflicts take all possible steps to ensure the safety and security of United Nations forces and personnel. It further demands that States act promptly and effectively to deter, prosecute and punish all those responsible for attacks and other acts of violence against such forces and personnel.

"The Security Council notes the particular difficulties and dangers that can arise where United Nations forces and personnel are deployed in situations where the State or States concerned are unable to exercise jurisdiction in order to ensure the safety and security of such forces and personnel, or where a State is unwilling to discharge its responsibilities in this regard. In such an eventuality, the Council may consider measures appropriate to the particular circumstances to ensure that persons responsible for attacks and other acts of violence against United Nations forces and personnel are held to account for their actions.

"The Security Council requests the Secretary-General to report as soon as possible on the existing arrangements for the protection of United Nations forces and personnel, and the adequacy thereof, taking into account, inter alia, relevant multilateral instruments and status of forces agreements concluded between the United Nations and host countries, as well as comments he may receive from member States, and to make such recommendations as he considers appropriate for enhancing the safety and security of United Nations forces and personnel.

"The Security Council will consider the matter further in the light of the Secretary-General's report and of work done in the General Assembly and its subsidiary bodies, including, in particular, the Special Committee on Peace-keeping Operations established pursuant to General Assembly resolution 2006 (XIX). In that regard, the Council recognizes the need for all relevant bodies of the Organization to take concerted action to enhance the safety and security of United Nations forces and personnel.

"The Security Council intends to continue its consideration of the Secretary-General's report entitled 'An Agenda for Peace', as indicated in the President's statement of 29 October 1992 (S/24728)."

The situation in Bosnia and Herzegovina (see S/23370/Add.36, S/23370/Add.40, S/23370/Add.43, S/23370/Add.45, S/25070/Add.1, S/25070/Add.4, S/25070/Add.7, S/25070/Add.8, S/25070/Add.9, S/25070/Add.11 and S/25070/Add.12; see also S/22110/Add.38, S/22110/Add.47, S/22110/Add.50, S/23370/Add.1, S/23370/Add.5, S/23370/Add.7, S/23370/Add.14, S/23370/Add.16, S/23370/Add.19, S/23370/Add.21, S/23370/Add.23, S/23370/Add.24, S/23370/Add.26, S/23370/Add.28, S/23370/Add.29, S/23370/Add.31, S/23370/Add.32, S/23370/Add.35, S/23370/Add.37, S/23370/Add.40, S/23370/Add.46, S/23370/Add.49 and S/23370/Add.50)

In a letter dated 18 March 1993 addressed to the President of the Security Council (S/25434), the Permanent Representative of Bosnia and Herzegovina to the United Nations stated that the delegation representing the Government of the Republic of Bosnia and Herzegovina to the International Conference on the Former Yugoslavia had been informed that on 17 March 1993 "four fixed-wing aircraft of the Yugoslav People's Army" had carried out bombing missions against the town of Srebrenica. The letter also stated that the siege of Srebrenica had been intensified by the continuing denial "by Serbian and Montenegrin forces" of free passage of humanitarian aid convoys to the town's population and that on 18 March 1993 Sarajevo had suffered the most severe artillery attack since the beginning of the siege of the city and that "aggressor forces in the region of Bjelina" had issued an ultimatum to non-Serb citizens to leave immediately or risk worse consequences. Acting under paragraph 1 of Article 35 of the Charter of the United Nations, in the light of the continuing hostilities directed against the citizens of Bosnia and Herzegovina, gross violations of Security Council resolution 781 (1992), grave breaches of Geneva Conventions and acts of foreign aggression against a Member State, the Presidency of Bosnia and Herzegovina requested an emergency meeting of the Security Council.

By a letter dated 18 March 1993 addressed to the President of the Security Council (S/25437), the Permanent Representative of Turkey to the United Nations, on behalf of the Contact Group of the Organization of the Islamic Conference, communicated to the President of the Council the Group's serious concern at the latest reports reaching it from Bosnia and Herzegovina. He also informed the President of the Council that the Contact Group was requesting an urgent meeting of the Security Council to consider that situation and take effective measures to deal with that continuing challenge to the United Nations including, in particular, the adoption of a resolution to enforce the "no-fly zone" established under resolution 781 (1992). The Security Council resumed its consideration of the item at its 3191st meeting, held on 31 March 1993, in response to the above requests.

The President, with the consent of the Council, invited the representative of Bosnia and Herzegovina, at his request, to participate in the discussion without the right to vote.

The President drew attention to the text of a draft resolution (S/25440), which had been submitted by France, Morocco, Pakistan, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The Security Council then proceeded to vote on draft resolution S/25440 and adopted it by 14 votes in favour to none against, with one abstention (China), as resolution 816 (1993).

Resolution 816 (1993) reads as follows:

The Security Council,

Recalling its resolutions 781 (1992) of 9 October 1992 and 786 (1992) of 10 November 1992,

Recalling paragraph 6 of resolution 781 (1992) and paragraph 6 of resolution 786 (1992) in which the Council undertook to consider urgently, in the case of violations of the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina, the further measures necessary to enforce the ban,

Deploring the failure of some parties concerned to cooperate fully with United Nations Protection Force (UNPROFOR) airfield monitors in the implementation of resolutions 781 (1992) and 786 (1992),

Deeply concerned by the various reports of the Secretary-General concerning violations of the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina (S/24783, S/24810, S/24840, S/24870, S/24900 and Add.1 to 31),

Deeply concerned in particular by the Secretary-General's letters to the President of the Security Council of 12 and 16 March 1993 (S/25443 and S/25444) concerning new blatant violations of the ban on military flights in the airspace of the Republic of Bosnia and Herzegovina, and recalling in this regard the statement by the President of the Security Council of 17 March 1993 (S/25426), and in particular the reference to the bombing of villages in the Republic of Bosnia and Herzegovina,

Recalling the provisions of Chapter VIII of the Charter of the United Nations,

Determining that the grave situation in the Republic of Bosnia and Herzegovina continues to be a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides to extend the ban established by resolution 781 (1992) to cover flights by all fixed-wing and rotary-wing aircraft in the airspace of the Republic of Bosnia and Herzegovina, this ban not to apply to flights authorized by UNPROFOR in accordance with paragraph 2 below;

2. Requests UNPROFOR to modify the mechanism referred to in paragraph 3 of resolution 781 (1992) so as to provide for the authorization, in the airspace of the Republic of Bosnia and Herzegovina, of humanitarian flights and other flights consistent with relevant resolutions of the Council;

3. Requests UNPROFOR to continue to monitor compliance with the ban on flights in the airspace of the Republic of Bosnia and Herzegovina, and calls on all parties urgently to cooperate with UNPROFOR in making

practical arrangements for the close monitoring of authorized flights and improving the notification procedures;

4. Authorizes Member States, seven days after the adoption of this resolution, acting nationally or through regional organizations or arrangements, to take, under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures in the airspace of the Republic of Bosnia and Herzegovina, in the event of further violations, to ensure compliance with the ban on flights referred to in paragraph 1 above, and proportionate to the specific circumstances and the nature of the flights;

5. Requests the Member States concerned, the Secretary-General and UNPROFOR to coordinate closely on the measures they are taking to implement paragraph 4 above, including the rules of engagement, and on the starting date of its implementation, which should be no later than seven days from the date when the authority conferred by paragraph 4 above takes effect, and to report the starting date to the Council through the Secretary-General;

6. Decides that, in the event of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia notifying the Council that all the Bosnian parties have accepted their proposals on a settlement before the starting date referred to in paragraph 5 above, the measures set forth in the present resolution will be subsumed into the measures for implementing that settlement;

7. Also requests the Member States concerned to inform the Secretary-General immediately of any actions they take in exercise of the authority conferred by paragraph 4 above;

8. Requests further the Secretary-General to report regularly to the Council on the matter and to inform it immediately of any actions taken by the Member States concerned in exercise of the authority conferred by paragraph 4 above;

9. Decides to remain actively seized of the matter.

On 3 April 1993, the Security Council resumed its consideration of the item at its 3192nd meeting, in accordance with the understanding reached in its prior consultations, having before it the photocopies of a letter dated 2 April 1993 from the Secretary-General addressed to the President of the Security Council, which was later issued as a document of the Security Council (S/25519).

The President, with the consent of the Council, invited the representative of Bosnia and Herzegovina, at his request, to participate in the discussion without the right to vote.

The President stated that, following consultations with members of the Security Council, he had been authorized to make the following statement on behalf of the Council (S/25520):

"The Security Council is shocked by and extremely alarmed at the dire and worsening humanitarian situation which has developed in Srebrenica in the eastern part of the Republic of Bosnia and Herzegovina following the unacceptable decision of the Bosnian Serb party not to permit any further humanitarian aid to be delivered to that town, and to allow only evacuation of its civilian population. The relevant facts are contained in a letter dated 2 April 1993, addressed to the Secretary-General by the United Nations High Commissioner for Refugees (S/25519, annex).

"The Security Council recalls and reaffirms all its relevant resolutions and statements and condemns the continuing disregard and wilful flouting of the relevant Security Council resolutions and statements by the Bosnian Serb party, which once again, in pursuit of its unlawful, unacceptable and abhorrent policy of 'ethnic cleansing' aimed at territorial aggrandisement, has blocked the United Nations humanitarian relief efforts.

"Recognizing the imperative need to alleviate, with the utmost urgency, the sufferings of the population in and around Srebrenica who are in desperate need of food, medicine, clothes and shelter, the Security Council demands that the Bosnian Serb party cease and desist forthwith from all violations of international humanitarian law, including in particular the deliberate interference with humanitarian convoys, and allow all such convoys unhindered access to the town of Srebrenica and other parts in the Republic of Bosnia and Herzegovina. The Security Council demands that the Bosnian Serb party strictly comply with all relevant resolutions of the Security Council. It further demands that the Bosnian Serb party honour forthwith its most recent commitment "to guarantee the free movement of humanitarian convoys and the protection of endangered civilians". The Security Council also reaffirms that those guilty of crimes against international humanitarian law will be held individually responsible by the world community.

"The Security Council commends and strongly supports the efforts of the brave people who have undertaken to deliver urgently needed humanitarian assistance, under extremely trying conditions, to the civilian population in the Republic of Bosnia and Herzegovina, and in particular the efforts of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Protection Force (UNPROFOR).

"The Security Council recalls the request it made in its statement of 3 March 1993 (S/25361) to the Secretary-General to take immediate steps to increase UNPROFOR's presence in eastern Bosnia; welcomes the action taken already in that respect; and urges the Secretary-General and the United Nations High Commissioner for Refugees to use all the

resources at their disposal within the scope of the relevant resolutions of the Council to reinforce the existing humanitarian operations in the Republic of Bosnia and Herzegovina.

"The Security Council will remain actively seized of the matter."